

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:19-cv-00215

Jose Rafael Guerra,
Petitioner,

v.

Sheriff, Gregg County,
Respondent.

Before BARKER, *District Judge*

ORDER

On May 15, 2019, petitioner filed the instant petition for a writ of habeas corpus complaining of the legality of four Gregg County convictions that he has received. Doc. 1. Thereafter, this action was referred to United States Magistrate Judge John D. Love. Doc. 3. One month later, Judge Love issued a report and recommendation, recommending that the petition be dismissed without prejudice for failure to exhaust state remedies. Doc. 8. Petitioner acknowledged receipt of the report and recommendation no later than July 5, 2019, when the acknowledgment card was returned to the court. Doc. 9. The report informed petitioner of his right to object within 14 days of service. *See* Fed.R.Civ.P. 72(b)(2). Petitioner filed no objections.

Accordingly, the report and recommendation is **accepted**. Fed.R.Civ.P. 72(b)(3). The complaint is **dismissed** without prejudice for failure to exhaust state habeas corpus remedies. A certificate of appealability is **denied**. All motions not previously ruled on are **denied** as **moot**. The clerk of court is **directed** to close this case.

So ordered by the court on August 2, 2019

A handwritten signature in black ink, appearing to read "J. Campbell Barker", written over a horizontal line.

J. CAMPBELL BARKER
United States District Judge